



BOX AF  
REPLY UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1638

PATENT  
2185-02216P

JAN 12 2001

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Satoshi MORI et al.

Application No. 09/026,400

Group: 1649

Filed: February 19, 1998

Examiner: O. Zaghmout

For: NICOTIANAMINE AMINOTRANSFERASE AND GENE

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents  
Washington, DC 20231

January 8, 2001

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated July 6, 2000 of the Primary Examiner finally rejecting claims 2 and 5-13.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$890.00 is required for the full period of the above-requested extension of time.

☐ An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of Appeal.

01/10/2001 CVORACHA 00000033 09026400

01 FC:119  
02 FC:117

310.00 OP  
890.00 OP

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$310.00

☐ Small Entity - \$155.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,200.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ A check in the amount of \$1,200.00 is enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

*Gerald M. Murphy, Jr.* #28,977

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

GMM/jeb